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Chris A. Caseiro
Pierce Atwood
One Monument Square
Portland, ME 04101

EXAMINER

BHATTACHARYA, SAM

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2617

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/731,110	Applicant(s) STRUNK ET AL.	
	Examiner Sam Bhattacharya	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 36-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 36-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 36, 37, 39, 41, 42 and 44-46 are rejected under 35 U.S.C. 103(a) as unpatentable over LaPorta (US 5,974,300) in view of Howell (US 6,597,701).

Regarding claims 36, 39, 41 and 44, LaPorta discloses a computer implemented system for providing a directory of contact information associated with one or more wireless communication devices in cellular network 24, including a network station adapted to carry out software-based instructions in the generation of a database system 32 of the contact information for the one or more wireless communication devices, a contact information gathering system 30 adapted to implement a process to gather from one or more sources the contact information for the one or more wireless communications devices, the contact information gathering system 30 including means for the network station to interface with one or more wireless telecommunication service provider database stations 24 to obtain contact information for one or more wireless communications devices, and an exchange system 14 which receives from said contact information gather system and transmits the contact information for one or more parties upon request. See FIG. 1 and col. 4, lines 44-67.

LaPorta fails to disclose wired means in the contact information gathering system for the network station to interface with wireless communications service provider stations, and that the

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sources of gathering of contact information are wireless telecommunication service provider databases of subscriber information.

However, in an analogous art, Howell discloses wired means 306 in the contact information gathering system for a network station to interface with wireless communications service provider stations, and that the sources of gathering of contact information are wireless telecommunication service provider databases 1102 of subscriber information. See FIG. 3 and 32, col. 10, line 55 – col. 11, line 4 and col. 32, lines 21-35. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of LaPorta by incorporating these features, as taught by Howell, for the purpose of conveniently incorporating the system in an existing wireline environment, such as that in an office or hotel building, and in an existing subscriber based communication system.

Regarding claim 37 and 42, LaPorta discloses that the means for the network station to interface with the one or more wireless communications service provider stations includes a router switch 28 station for coupling said network station to said wireless communications service providers. See col. 14, lines 60-65 and col. 15, lines 17-21.

Regarding claim 45, LaPorta discloses that said network station is a routing, switching, data storage, and interface system that is coupled through one of digital, analog, T1, T3, CAT5, frame-based data transport protocols, and asynchronous mode transport protocols. See FIGS. 4 and 5, and col. 11, lines 17-39.

Regarding claim 46, LaPorta discloses that generating the database system of the contact information includes routing, switching, data storage, and an interface system that is coupled

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through one of digital, analog, T1, T3, CAT5, frame-based data transport protocols, and asynchronous mode transport protocols. See FIGS. 4 and 5, and col. 11, lines 17-39.

3. Claims 38 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over LaPorta et al. in view Howell and Dreke et al. (U.S. Patent Application Publication 2002/0035594 A1).

As to claims 38 and 43, the combination of LaPorta and Howell fails to disclose that the switch station polls the telecommunications service provider stations at selectable frequencies one or more times a day.

However, the Dreke reference teaches means for interfacing poll said telecommunications service provider stations at selectable frequencies (“either the server periodically pushes presence information to each interested user via the user’s client computer (as in the AOLTM system) or the user uses a client computer to periodically poll the server to receive the presence information” (page 1, col. 2, lines 1-5). “Frequent polls from the client computer to the server are employed so that newly connecting users receive updated presence information in a timely manner” (page 1, col. 2, lines 6-10). “Each user polls the server every 90 seconds to check for the presence of another user” (page 1, col. 2, lines 18-19). “The present invention is not limited to the Internet. Any network would suffice. In addition to tracking peers, the present invention is also intended to keep track of devices, people and services” (page 2, col. 1, paragraph [0014], lines 5-8)).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system and method of LaPorta et al. and Howell wherein means for interfacing poll said telecommunications service provider stations at selectable

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frequencies, as taught by Dreke, in order to receive updated contact information in a timely manner.

4. Claim 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over LaPorta et al. in view of Howell and Thorner et al. (WO 98/56158).

As to claim 40, the combination of LaPorta and Howell fails to explicitly disclose the central network station includes means for enabling a device user to access the database and enter contact information and update the database system for access of particular individually created contact information. The Thorner reference teaches the central network station includes means for enabling a device user to access the database and enter contact information and update the database system for access of particular individually created contact information (“the database 3 could also comprise an extra database portion 3’ in which customers could add data regarding themselves and/or write corrected data or temporary data regarding telephone number or the like. This database 3’ is not intended to be monitored by the monitor 9 but could be used as means for making updating more often (for instance every week) than once a year when telephone books are normally updated. It could be possible to let a customer for instance place a certain mark at the data regarding him, even if he is not allowed to make any other amendments in the electronic phone book as represented by the database 3. The presence of such a mark instructs the search motor to search in the database portion 3’” (page 10, line 23 to page 11, line 2)).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system and method of LaPorta et al. and Howell wherein

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the central network station includes means for enabling a device user to access the database and enter contact information and update the database system for access of particular individually created contact information, as taught by Thorner, in order to allow customers to add data regarding themselves and/or write corrected data or temporary data regarding telephone number or the like.

Response to Arguments

1. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sam Bhattacharya whose telephone number is (571) 272-7917. The examiner can normally be reached on Weekdays, 9-6, with first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'sb' or a similar stylized name, written in a cursive script.

sb